REMARKS

Applicant has amended the specification to correct an error apparently resulting in the translation of the priority document from German to English. Applicant has discovered that the German term "Leuchtdichte" was translated erroneously to the English terms "luminous intensity" and "radiant intensity." The German term "Leuchtdichte" is properly translated to the English term "luminance". The property of luminance is measured in the units "cd/m^2". In contrast, the German term "Lichtstärke" translates to the English term "luminous intensity". The property of luminous intensity is measured in the unit of "cd".

One of ordinary skill in the art would understand from a reading of the specification at pages 3 and 14 that the correct property of the invention described is the "luminance" and not the "radiant intensity" or "luminous intensity," respectively. For example, the third full paragraph on page 3 and the first full paragraph on page 14 identifies the units of the property being described as "cd/m^2" which corresponds to the units of luminance. No new matter has been added.

Applicant notes the indicated allowability of Claims 64-66.

Claims 63 and 69 are rejected as indefinite, with the examiner asserting that the carrier plate inherently has a structure which is light-refractive, but recognizing that the absence of surface protrusions introduces no variation in this inherent refraction by suggesting the use of the word "flat". Claims 63 and 69 have been amended in accordance with the examiner's suggestion to recite that plate surface is generally smooth.

Claims 67 and 68 are rejected as anticipated by the newly cited patent to Simon. Reconsideration is solicited, for the examiner appears to have misread what Simon fairly discloses.

Simon states in column 5, lines 28-43, that each of the various modules are interchangeable in that they may, in their entirety, be connected to any other module. "All of the modules shown in all of the drawings are interchangeable such that the various [a] collections/projection modules, [b] the conveyance modules and [c] the direction distribution modules may all be used one with the other." (col. 5, lines 39-44). This teaching relating to the interchangeability of modules is not relevant to the present invention.

Simon further states that "all of the **interchangeable** parts which make up all of the modules ...may be completely interchangeable." (emphasis added). Thus Simon states that the parts of a module **that are interchangeable** may be interchanged. For obvious reasons, Simon does not state that the parts of a module **that are non-interchangeable** may be interchanged. One may presume from this statement that some of the parts in some of the modules are interchangeable with some other parts of the same module and that some of the parts in some of the modules are not interchangeable. Simon does not identify which of the parts which are interchangeable. However, it is clear that Simon does not disclose the interchangeability of the parts of one module with the parts of another module.

Simon contemplates a series of illumination deflectors in which all but the final deflector split the beam to divert a portion of the light incident thereon and pass a portion to the downstream deflector, the final deflector diverting all of the light incident thereon. The ratio of reflection to transmission is predetermined (col. 1, lines 38-41) with the size of the beam being determined by the light collection means (i.e., lens) intermediate the deflectors (col. 1, lines 44-46) and the direction of the beans being controlled by the rotation of the deflectors (col. 3, lines 13-16).

Note that the Simon deflectors are all located within the cavity. In contrast, Claims 67 and 68 have been amended to recite that the optical components are located exteriorly of the cavity. The rejection of Claims 67 and 68, as well as Claims 71 and 73 dependent therefrom, is thus untenable and must be withdrawn.

In addition, Simon thus discloses deflectors with two different properties, i.e., partially reflective and completely reflective as in the case of the final deflector. The plurality of deflectors are in series, i.e., each of the deflectors but the first one receives light which has passed through one or more deflectors. New dependant Claims 71 and 73 as well an new independent Claims 72 and 74 recite that the light deflected by at least two optical components with different properties has not passed through another optical component. Claims 71– 74 are thus also believed to be free of the art.

Claims 63, 69 and 70 are rejected as anticipated by Schoniger. Reconsideration is solicited.

The examiner has erroneously attempted to read the claim language on Figure 5 of Schoniger. Figure 5 shows a panel in which two different battens 12 each associated with one light guide 10 are collectively covered by a transparent cover plate 25. The cover plate 25 is in turn covered by an apertured holding frame 23 which may be metal or a resin reinforced by a metallic tape 27. (col. 6, lines 40-46). The examiner attempts to read the carrier plate of Claim 63 on the metal (or metal tape 27 coated) frame 23. However, while the frame 23 is outermost, it does not define a cavity of a hollow light guide and no light is output therefrom.

The examiner continues to distort the disclosure of Schoniger in attempting to read Claim 69 thereon, for she does not identify the claimed light guide with a cavity and the metal frame 23

is not a carrier plate which defines a light emitting surface of the unidentified cavity. Similarly with respect to Claim 70, the metal frame 23 is not light emitting as claimed.

Claims 41-48, 50, 51, 54-58, 61 and 62 are rejected as obvious over Yamada et al in view of Simon. Reconsideration is solicited.

The examiner previously conceded that these claims are allowed over Yamada et al, and now cites Simon as providing a teaching of interchangeability of parts, and relies without citation on the well known use of a frame element. Reconsideration is solicited.

As earlier discussed, the examiner is overreaching in her reading of Simon, and Simon does not provide the teaching on which the examiner relies for this rejection. The examiner's citation to column 5 of Simon is blatant error and the examiner has not identified any statement in Simon to the effect that all of the parts in any, or all, of the modules are in fact interchangeable. The rejection must be withdrawn.

Even if Simon taught the desirability of modular construction in lamp fixtures in which the light serially passes through plural light deflectors, that teaching alone would not make the claims obvious to one of skill in the art. What parts of Yamada does the examiner assert it is obvious to interchange? Since the only light refractive component identified by the examiner is the linear prism plate 110, what parts within the fixture, or in other fixtures, are interchangeable?

To the extent that fixtures are mass produced with identical parts, applicant readily concedes that the various parts of one fixture are interchangeable with the same parts in a different fixture, e.g., the light sources, the linear prism, the light conducting plates, the metal housings, etc. However, all of these parts are the same and the light emission properties of the fixtures would not be changed by such interchange between them as recited in the claims, e.g., independent apparatus Claims 41, 56, 67 and 68 are directed to units with different light emission properties.

While the examiner blithely asserts that light output faces with different properties are well known, no art has been cited and no declaration submitted by the examiner with respect to her personal knowledge. Moreover, Yamada states that the diffusion pattern is an essential feature of his invention (col. 15, lines 11-13) and thus it would defeat Yamada's invention to make the substitution of an undisclosed prism. It is axiomatic that it is not obvious to defeat an invention. In this regard, the interchange of the partial reflecting light elements of Simon will not change the light emission properties of the fixture, and the interchange of the totally reflecting element with a partially reflecting element will defeat the purpose of Simon's fixtures.

It is noted with respect to Claim 56 that the examiner relies on the fact that the optical component 110 has a boundary surface with air, yet ignores the fact that this boundary has no structure and does not deflect light in a plane normal to the light exit face as claimed.

It is further noted that neither of the cited patents disclose a carrier plate which carries the optical component as recited in independent Claims 56, 63, 69 and 70.

Claims 49 and 59 are rejected as obvious over Yamada in view of Simon in further view of Koike. Both claims are allowable with the claims from which they depend without regard to the additional and patentable limitations recited. In addition, the examiner conveniently ignores the air gap 9' in Figure 8 (col. 15, lines 24-25), and the fact that Claim 49 depends from Claim 47 which requires that the plate elements rest on the light permeable plate. Similarly, Claim 59 depends from Claim 56 which requires that some of the optical components are carried by the light permeable plate.

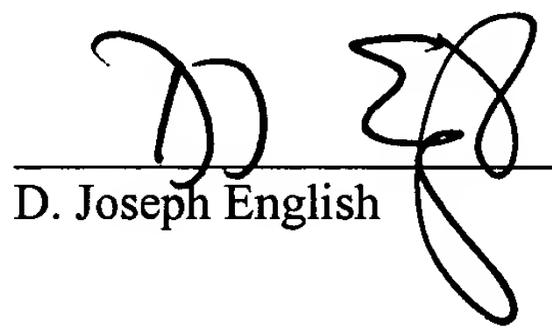
Claim 52 is rejected as obvious over Yamada in view of Simon and in further view of Dreyer '822. The cited abstract of Dreyer does not refer to an input reflector that directs light to bypass the light guide and adds nothing to the untenable rejection of Claim 51. Dreyer discloses

a bi-directional line light source having two light sources wherein light from one source is reflected to supplement the light from the other light source. There is no disclosure of directing light to bypass the light guide for providing indirect lighting.

Claims 53 and 60 are rejected as obvious over Yamada in view of Simon and in further view of Koike '364. Element 70 disclosed in the cited patent to Koike and relied upon by the examiner is a wedge shaped optical element having prism shaped irregularities on the light input and light emitting surfaces. Koike fails to disclose two light permeable components arranged in a stack to create a shielding effect at least in two directions perpendicular to each other and adds nothing to the untenable rejection of Claim 41.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



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